

May 18, 2012

VIA ECFS

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: *Developing a Unified Intercarrier Compensation Regime; Establishing Just and Reasonable Rates for Local Exchange Carriers; Connect America Fund; High-Cost Universal Service Support; A National Broadband Plan for Our Future, CC Dkt. No. 01-92, WC Dkt. Nos. 07-135, 10-90, & 05-337, GN Dkt. No. 09-51*

On May 17, 2012 Onvoy filed an *ex parte* letter in the above-referenced proceeding which described the substance of a May 15, 2012 meeting with the Wireline Competition Bureau.¹ That letter included the following statement: “In addition, we explained that, in order to address the technical obstacles associated with implementing bill and keep for intra-MTA traffic exchanged between wireline LECs and CMRS providers, the Commission should permit a wireline LEC to assess originating access charges on intraMTA calls where the wireline LEC originates the call and transmits it to an unaffiliated interexchange carrier which then transmits the call to a CMRS provider for delivery to the called party.” Onvoy hereby corrects an inaccuracy in that statement. It should state as follows: “In addition, we explained that, in order to address the technical obstacles, inherent in landline end office switches, associated with routing calls outside the landline LEC local calling area and within the same MTA area to a CMRS provider, the Commission should permit a wireline LEC to assess the appropriate Preferred Interexchange Carrier (PIC) originating access charges on intraMTA calls where the wireline LEC originates the call and transmits it to an interexchange carrier which then transmits the call to a CMRS provider for delivery to the called party. Bill and keep can be maintained as between the LEC and the CMRS provider.”

In addition, on May 18, 2012, the undersigned discussed the status of independent tandem access providers with Victoria Goldberg of the Wireline Competition Bureau. During the discussion, I explained that the Commission should clarify that the transition to bill and keep does not apply to providers of terminating tandem access service when such providers do not own the terminating end office for a particular call. Similarly, the Commission should clarify that the transition to bill and keep

¹ See Letter from Thomas Jones, Counsel for Onvoy, Inc., to Ms. Marlene H. Dortch, CC Docket No. 01-92, WC Docket Nos. 07-135, 10-90, & 05-337; GN Docket No. 09-51 (May 17, 2012).

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does not apply to providers of originating tandem access service when such providers do not own the originating end office for a particular call.

Please do not hesitate to contact me at (202) 303-1111 if you have any questions or concerns about this submission.

Respectfully submitted,

/s/ Thomas Jones
Thomas Jones
Counsel for Onvoy, Inc.

cc (via email): Victoria Goldberg